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Practitioner's Docket No. 297/93/2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James N. Petite, et al.

Application No.: 09/757,054

Group No.: 1651

Filed: January 8, 2001

Examiner: Lankford, Jr.

For: METHOD OF PRODUCING AN UNDIFFERENTIATED AVIAN CELL CULTURE USING  
AVIAN PRIMORDIAL GERM CELLS

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Commissioner for Patents  
Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 31, 2002, finally rejecting claims 44-54.

1. STATUS OF APPLICANT

This application is on behalf of a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$160.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"  
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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

12/02/2002 MAHMED1 00000105 500426 09757054

01 FC:2401 160.00 CH

Date: 11-27-02

Bonnie S. Sheridan  
Signature

Bonnie S. Sheridan

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

12/02/2002 MAHMED1 00000105 500426 09757054

02 FC:2253 460.00 CH

Notice of Appeal fee due \$160.00  
Terminal Disclaimer \$55.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee \$460.00

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$160.00  
Extension fee \$460.00  
Terminal Disclaimer \$ 55.00

**TOTAL FEE DUE \$675.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$675.00 to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, charge Deposit Account No. 50-0426.

11/27/2002  
Date

Arles A. Taylor  
Signature of Practitioner

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